



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,790	01/25/2001	Chang-nam Chu	Q62214	3920

7590 01/11/2005
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
Washington, DC 20037-3202

EXAMINER
SINGH, RACHNA

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/768,790	Applicant(s) CHU, CHANG-NAM	
	Examiner Rachna Singh	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 8/18/04.
2. Claims 1-14 are pending. Claims 1 and 9 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 7-11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al., US 6,715,126 B1, 3/3/0/04 (filed 11/15/99, provisional filed 11/16/98)

In reference to claim 1, Chang teaches a method of delivering a presentation of web content comprised of media, such as audio and video having defined time increments, together with one or more other content sources such as images or events. See abstract. Chang's system comprises the following:

-A content creation tool for preparing the data in an appropriate format with data. The content creation tool can load graphics files, audio files, and text files. See abstract. See also column 3, lines 42-47, column 9, lines 25-60, and figures 3 and 4. The content creation tool's information is used by a player to schedule its request from the servers on which the various images or events for the presentation reside. The multimedia presentation for display comprises primary media source having time increments and content from at least one secondary media source. The method comprises receiving

Art Unit: 2176

user synchronization input regarding synchronization of the display of the content from a at least one secondary media source to time increments in the content from the primary media source. See column 12. Compare to ***'an editor for loading graphics file, an audio file, and a text file. . .reproducing the graphics file and the text file in response to a second and third control signal which are generated in synchronization with the reproduction of the audio file respectively;'***

-The file comprising the primary (audio/video) and secondary (text, image, events) is created with the synchronization input and a schedule of actions is determined. See column 12. Compare to ***"a control signal generator for checking reproduction time information on the loaded audio file and generating the first through third control signals"***.

-Creating a file for the graphic, audio, and text information. See column 12, lines 22-25. Compare to ***"a storage unit. . .reproduced by the editor"***

-Creating a multimedia presentation for display comprising content from primary and secondary media sources. See column 12, lines 12-18. Compare to ***"a multimedia file generator for generating the stored data as a multimedia file using a predetermined format"***.

Chang does not teach using a single multimedia file; however, he does disclose in columns 2-3 of the patent, "All known techniques for delivery of such synchronized content utilize multiplexing of all of the content into a single file, followed by streaming that file using a streaming server. Often, however, the two requirements of a single file and a streaming server are undesirable added complexities." Thus Chang teaches that

it was well known in the art at the time of the invention to utilize a single multimedia file thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to deliver synchronized content utilizing multiplexing of all the content into a single file. See columns 2-3 of Chang.

In reference to claim 2, Chang teaches selecting the content (audio, video, image, text, etc) from a file position. See also column 3, lines 42-47, column 9, lines 25-60, and figures 3 and 4.

In reference to claim 7, Chang teaches creating a multimedia presentation for display comprising content from primary and secondary media sources. See column 12, lines 12-18.

In reference to claim 8, Chang teaches formatting the information in SMIL. See column 2, lines 55-67.

In reference to claim 9, Chang teaches a method of delivering a presentation of web content comprised of media, such as audio and video having defined time increments, together with one or more other content sources such as images or events. See abstract. Chang's system comprises the following:

- A content creation tool for preparing the data in an appropriate format with data. The content creation tool can load graphics files, audio files, and text files. See abstract. See also column 3, lines 42-47, column 9, lines 25-60, and figures 3 and 4. The content creation tool's information is used by a player to schedule its request from the servers on which the various images or events for the presentation reside. The multimedia presentation for display comprises primary media source having time increments and

Art Unit: 2176

content from at least one secondary media source. The method comprises receiving user synchronization input regarding synchronization of the display of the content from a at least one secondary media source to time increments in the content from the primary media source. See column 12. Chang discloses an audio button on the screen interfacing with the user that controls the audio in a media player. When a user launches the player by depressing the buttons, the contents are rendered and displayed in a synchronized presentation. See figure 4 and five and column 11, lines 45-67 and column 12. Compare to ***"loading a graphics file, an audio file, and a text file selected from a respective file position in a computer; reproducing the audio file. .in synchronization with the audio reproduction when the user selects an audio reproduction starting button provided on the screen for interfacing with a user"***.
-Creating a file for the graphic, audio, and text information. See column 12, lines 22-25. Compare to ***"storing a reproduced graphic image and audio and text data"***.
-Creating a multimedia presentation for display comprising content from primary and secondary media sources. See column 12, lines 12-18. Compare to ***"generating. .using a predetermined format"***.

In reference to claim 10, Chang teaches selecting the content (audio, video, image, text, etc) from a file position. See also column 3, lines 42-47, column 9, lines 25-60, and figures 3 and 4.

In reference to claim 11, Chang teaches providing audio information in response to primary media sources. See column 12, lines 12-25. Chang discloses inputting information about objects in an Object List Box. The objects are associated with their

Art Unit: 2176

critical times. The scheduling of the web content unit is the complete event which is executed at any of the prescribed time points in the presentation. A html parser in the tool extract information regarding the embedded image files and builds a web content unit that adds the data to parameters in the scheduling data block. See column 9, lines 39-67 and column 10. Chang also teaches produce a variety of media sources such as video, graphics, text, etc. See figures 3 and 4.

In reference to claim 14, Chang teaches formatting the information in SMIL. See column 2, lines 55-67.

5. Claims 3-6 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al., US 6,715,126 B1, 3/3/0/04 (filed 11/15/99, provisional filed 11/16/98) in view of Underwood et al., US 6,697,825 B1, 2/24/04 (filed 8/30/00, provisional filed 11/5/99).

In reference to claim 3, Chang teaches providing audio information in response to primary media sources. See column 12, lines 12-25. Chang discloses inputting information about objects in an Object List Box. The objects are associated with their critical times. The scheduling of the web content unit is the complete event which is executed at any of the prescribed time points in the presentation. A html parser in the tool extract information regarding the embedded image files and builds a web content unit that adds the data to parameters in the scheduling data block. See column 9, lines 39-67 and column 10. Chang also teaches produce a variety of media sources such as video, graphics, text, etc. See figures 3 and 4. Chang does not teach the use of a text aligner for aligning text in a loaded text file or a reproducer for displaying the aligned

Art Unit: 2176

text on the text window; however, Underwood teaches a text alignment mechanism.

Underwood's text alignment allows for alignment of text in the cells of a table. The text is formatted to be displayed in a web site presentation layout. See column 18, lines 20-52 and figure 27. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Underwood's text alignment in the system of Chang since Underwood's system, as Chang's, is concerned with providing a multimedia presentation to a user comprised of images, text, audio, video, etc and providing a means to align text allows a user to adjust the spacing and appearance of the text. See column 18, lines 25-52 of Underwood.

In reference to claim 4, Underwood teaches that a user can set the number of pixels. See column 18 and figure 27. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Underwood's text alignment in the system of Chang since Underwood's system, as Chang's, is concerned with providing a multimedia presentation to a user comprised of images, text, audio, video, etc and providing a means to align text allows a user to adjust the spacing and appearance of the text. See column 18, lines 25-52 of Underwood.

In reference to claims 5 and 6, Chang teaches that he multimedia presentation for display comprises primary media source having time increments and content from at least one secondary media source. The method comprises receiving user synchronization input regarding synchronization of the display of the content from a at least one secondary media source to time increments in the content from the primary media source. See column 12. Chang teaches that the file comprising the primary

(audio/video) and secondary (text, image, events) is created with the synchronization input and a schedule of actions is determined. See column 12.

In reference to claim 12, Chang teaches providing audio information in response to primary media sources. See column 12, lines 12-25. Chang discloses inputting information about objects in an Object List Box. The objects are associated with their critical times. The scheduling of the web content unit is the complete event which is executed at any of the prescribed time points in the presentation. A html parser in the tool extract information regarding the embedded image files and builds a web content unit that adds the data to parameters in the scheduling data block. See column 9, lines 39-67 and column 10. Chang also teaches produce a variety of media sources such as video, graphics, text, etc. See figures 3 and 4. Chang does not teach the use of a text aligner for aligning text in a loaded text file or a reproducer for displaying the aligned text on the text window; however, Underwood teaches a text alignment mechanism. Underwood's text alignment allows for alignment of text in the cells of a table. The text is formatted to be displayed in a web site presentation layout. See column 18, lines 20-52 and figure 27. Chang discloses an audio button on the screen interfacing with the user that controls the audio in a media player. When a user launches the player by depressing the buttons, the contents are rendered and displayed in a synchronized presentation. See figure 4 and five and column 11, lines 45-67 and column 12. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Underwood's text alignment in the system of Chang since Underwood's system, as Chang's, is concerned with providing a multimedia presentation to a user

comprised of images, text, audio, video, etc and providing a means to align text allows a user to adjust the spacing and appearance of the text. See column 18, lines 25-52 of Underwood.

In reference to claim 13, Chang discloses an audio button on the screen interfacing with the user that controls the audio in a media player. When a user launches the player by depressing the buttons, the contents are rendered and displayed in a synchronized presentation. See figure 4 and five and column 11, lines 45-67 and column 12.

Response to Arguments

6. Applicant's arguments filed 8/18/04 have been fully considered but they are not persuasive.

Applicant argues with regards to claims 1 and 9, that the amended claim reciting "a single multimedia file" is not taught by Chang who instead teaches creating a multimedia presentation without creating a single stream or file. Chang discloses the following in columns 2-3 of the patent, "All known techniques for delivery of such synchronized content utilize multiplexing of all of the content into a single file, followed by streaming that file using a streaming server. Often, however, the two requirements of a single file and a streaming server are undesirable added complexities." Thus Chang teaches that it was well known in the art at the time of the invention to utilize a single multimedia file thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to deliver synchronized content utilizing multiplexing of all the content into a single file. See columns 2-3 of Chang.

Art Unit: 2176

Applicant argues with respect to claim 4 that Examiner does not mention the limitation "wherein the predetermined units are units of lines determined by a number of pixels set by a user". Examiner disagrees. Page 7 of the previous office action recites "Underwood teaches that a user can set the number of pixels". See column 18 and figure 27. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Underwood's text alignment in the system of Chang since Underwood's system, as Chang's, is concerned with providing a multimedia presentation to a user comprised of images, text, audio, video, etc and providing a means to align text allows a user to adjust the spacing and appearance of the text. See column 18, lines 25-52 of Underwood.

Applicant argues with respect to claim 5 that Examiner does not mention the limitation "the control signal generator checks. . .the number of lines of the aligned text". Examiner disagrees. Chang teaches that the multimedia presentation for display comprises primary media source having time increments and content from at least one secondary media source. The method comprises receiving user synchronization input regarding synchronization of the display of the content from a at least one secondary media source to time increments in the content from the primary media source. See column 12. Chang teaches that the file comprising the primary (audio/video) and secondary (text, image, events) is created with the synchronization input and a schedule of actions is determined. See column 12.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should


Application/Control Number: 09/768,790

Page 12

Art Unit: 2176

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
1/3/05



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER